

DLD-90

December 28, 2007

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

C.A. No. **07-4422**

WILLIAM JAY HAMMONS

VS.

WARDEN THOMAS CARROLL

(D. DEL. CIV. NO. 05-CV-00718)

Present: BARRY, CHAGARES AND NYGAARD, CIRCUIT JUDGES.

Submitted is appellant's request for a certificate of appealability under 28 U.S.C. § 2253(c)(1) with documents in support thereof

in the above-captioned case.

Respectfully,

Clerk

MMW/TRA/zm/smw

ORDER

The foregoing application for a certificate of appealability is denied because William J. Hammons has not made a substantial showing of the denial of a constitutional right. See 28 U.S.C. § 2253. Jurists of reason would not debate the District Court's decision to deny Hammons's petition. See Miller-El v. Cockrell, 537 U.S. 322, 338 (2003) (citing Slack v. McDaniel, 529 U.S. 473, 484 (2000)). As the District Court concluded, some of Hammons's claims were not cognizable, some were procedurally barred, and the rest were without substantive merit.

By the Court,

/s/ Maryanne Trump Barry
Circuit Judge

Dated: January 25, 2008

tmm/cc: Mr. William Jay Hammons
Elizabeth R. McFarlan, Esq.